

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69612 of 2021

Arising Out of PS. Case No.-67 Year-2021 Thana- BUNIYAD GANJ District- Gaya

1. RAJO MANJHI Son of Naresh Manjhi Resident of Village - Mahuar Khurd, P.S. - Buniyadganj, District - Gaya.
2. NARESH MANJHI, Son of Late Jaglal Manjhi, Resident of Village - Mahuar Khurd, P.S. - Buniyadganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-04-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are in custody since 29.05.2021, are persons with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioners submits that the informant alleges that his son (deceased) and daughter-in-law were quarreling, further his daughter-in-law informed about the



quarrel to her brothers, who came and forcibly took his son on a tempo and informant's daughter-in-law along with her minor son, accompanied them. Further, it is alleged that on 20.04.2021 the informant came to know that his son died on which he reached the place of occurrence where his minor grandson disclosed that the petitioners assaulted the deceased at the instance of his mother.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is submitted that as per the allegations in the FIR, it is alleged that on account of quarrel between the deceased and his wife, the brothers-in-law came and took the son of the informant along with them to their home and thereafter his son died. Learned counsel further submits that though in the F.I.R. it is alleged that minor grandson disclosed that the petitioners assaulted the deceased at the instance of his mother but during the course of investigation, the police has not recorded the statement of the minor grandson of the informant. It is further submitted that the petitioner no.2 is the father-in-law of the deceased and is aged about 61 years.

At this stage, learned counsel for the petitioners seeks permission to withdraw the bail application with respect to the



petitioner no.1, Rajo Manjhi.

Permission is accorded.

Accordingly, the bail application with respect to petitioner no.1 is dismissed as withdrawn.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the fact that the petitioner no.2 is in custody since 29.05.2021, charge-sheet has been submitted in the case, is a person with clean antecedent, is not alleged to have taken the deceased along with him and considering his age, let the petitioner no.2 be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Buniyadganja P.S. Case No. 67 of 2021.

(Satyavrat Verma, J)

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